

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

AGREED ORDER GRANTING DEFENDANT'S MOTION TO REMAND  
PURSUANT TO SENTENCE SIX OF SECTION 205(g)  
OF THE SOCIAL SECURITY ACT, 42 U.S.C. § 405(g)

THIS CAUSE is before the Court on the Defendant's Motion for Remand Pursuant to Sentence Six of 42 U.S.C. § 405(g) which was filed by the Defendant on October 5, 2006, for further administrative proceedings; having considered the Motion and being advised that the Plaintiff has no objection to this remand request, the Court finds that the motion is well taken and should be granted.

IT IS HEREBY ORDERED that upon remand the Appeals Council will take the following action: the Appeals Council will continue to search for the tape recording of the hearing held on January 26, 2005, and if it is not located within ninety (90) days from the date of this Order, the Appeals Council will remand the case to an Administrative Law Judge for a de novo hearing.

IT IS, THEREFORE, ORDERED that this case be and it is hereby remanded to the Commissioner for further administrative proceedings. This case is hereby closed pending further order of this Court.

SO ORDERED, this the 29th day of January, 2007.

s/ HENRY T. WINGATE  
CHIEF UNITED STATES DISTRICT JUDGE

AGREED:

/S JONATHAN B. FAIRBANK, ESQ.  
ATTORNEY FOR PLAINTIFF

/S FELICIA C. ADAMS  
ASSISTANT UNITED STATES ATTORNEY

Civil Action No. 3:06-cv-331 HTW-LRA  
Agreed Order Granting Defendant's Motion  
to Remand